

To: dwaz@fastq.com[dwaz@fastq.com]
Cc: McKaughan, Colleen[McKaughan.Colleen@epa.gov]
From: Rios, Gerardo
Sent: Fri 4/10/2015 5:45:01 PM
Subject: RE: delegation agreement between EPA and MCAQD?

Hi Steve,

Regarding Permitting, Maricopa County holds a delegation agreement to issue PSD permits. Under the SIP, they are also approved to issue non-attainment NSR permits. Under title V of the Clean Air Act, they are also approved for a part 70 program which allows them to issue Operating Permits to title V (major) sources. This permit allows them to incorporate all Clean Air Act applicable requirements (PSD/NSR/NESHAP and other SIP requirements that may apply to the facility). Hopefully that clarifies for you their Air Permitting authority. Anything included in the part 70 permit is enforceable by the permitting agency.

Let me know if you have additional questions about any of the above permits or permit authorities.

Gerardo Rios

Chief, Permits Office

Air Division

Begin forwarded message:

From: Don't Waste Arizona <dwaz@fastq.com>
Date: April 9, 2015 at 6:54:51 AM PDT
To: Colleen McKaughan <McKaughan.Colleen@epa.gov>
Subject: Fw: delegation agreement between EPA and MCAQD?

To clarify, the referral to ADEQ is not to the ADEQ air quality division.

From: Don't Waste Arizona

Sent: Thursday, April 09, 2015 6:39 AM

To: [McKaughan, Colleen](#)

Subject: Re: delegation agreement between EPA and MCAQD?

I looked through the SIP and didn't see it.

There is a strange issue going on with MCAQD. Despite the MCAQD issuing a permit to a facility with specific conditions about odors and controlling them, when citizens complain of the odors, these complaints are not acted upon and instead are

referred to ADEQ. (I know the odor thing is federally enforceable.) Before the facility had the permit, the odor complaints were referred to ADEQ. But after the permit was issued in November, the MCAQD isn't doing what the permit requires.

The staff at MCAQD don't seem to understand what they are doing wrong by not enforcing their own permit. Never seen this before. I have sent in a public records request to learn more about their "training."

From: [McKaughan, Colleen](#)

Sent: Wednesday, April 08, 2015 8:19 PM

To: dwaz@fastq.com

Subject: Re: delegation agreement between EPA and MCAQD?

Steve,

They might have a SIP-approved program instead of a delegated program. Have you checked the sip?

Colleen

Sent from my iPhone

On Apr 8, 2015, at 4:13 PM, "Don't Waste Arizona" <dwaz@fastq.com> wrote:

Hope all is well.

It is my understanding that EPA delegated authorities to Maricopa County Air Quality Department to allow it to administer its air permitting program. When I requested the public records from the MCAQD records person, all that was found is a NESHAPS and PSD delegated authority.

Please let me know if there is such a delegation agreement between EPA and MCAQD. Seems to me that otherwise, the MCAQD wouldn't be allowed to issue air permits.

Thanks,

Steve Brittle

DWAZ

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